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UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

Erin Wilson, an Arizona resident, and
Arianna Lee, an Arizona resident

Plaintiffs,

v.

Steven Goumas, an Arizona resident (dba
Rula Bula),

Defendant.

No.

COMPLAINT

Plaintiffs Erin Wilson and Arianna Lee, for their complaint against defendant Steven Goumas (dba Rula Bula), state:

Parties, Jurisdiction, and Venue

1. Wilson is an individual residing in Maricopa County, Arizona. Wilson is 22.
2. Lee is an individual residing in Maricopa County, Arizona. Lee is 21.
3. Goumas is an individual residing in Maricopa County, Arizona. At all relevant times, Goumas did business as Rula Bula, a bar in Maricopa County, Arizona.
4. The claims contained in this complaint arise from Goumas' acts and omissions in Maricopa County, Arizona, this Court's district.
5. Jurisdiction is proper under 28 U.S.C. § 1331 because this action is brought under federal law.

6. Supplemental jurisdiction over plaintiffs' state law claims is proper under 28 U.S.C. § 1367 because the claims arise from the same controversy.

7. Venue is proper under 28 U.S.C. § 1391(b) because the acts or omissions giving rise to these claims occurred in this district.

General Allegations

8. Goumas owns and operates Rula Bula, a bar in Tempe, Arizona, as a sole proprietor.

9. In May 2020, Goumas hired Wilson and Lee as servers at Rula Bula.

10. Goumas/Rula Bula employed Wilson and Lee for less than 4 months. During that time Goumas harassed, then assaulted and battered Wilson and Lee.

11. Shortly after Wilson and Lee began working at Rula Bula, Goumas began a pattern of behavior that made Wilson and Lee extremely uncomfortable including sexualized comments.

12. Because these sexualized comments occurred almost daily, Goumas quickly created a hostile work environment for Wilson and Lee at Rula Bula.

13. Goumas owned the bar as a sole proprietor and there was no one superior to him.

14. Wilson and Lee wanted to keep their jobs, so when working shifts at the bar they tried to avoid personal conversations with Goumas.

15. Goumas continued his harassment of them regardless.

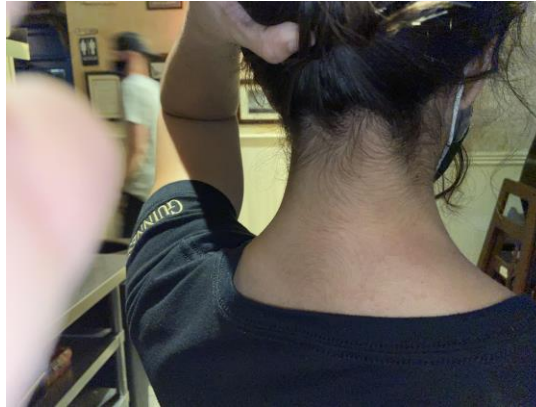
16. Goumas' harassment of Wilson and Lee culminated on September 4, 2020.

17. On September 4, 2020, Goumas' inappropriate conduct escalated when Wilson and Lee were outside on the patio of the restaurant in Lee's assigned section.

18. Goumas came up behind Wilson and Lee and grabbed them by the neck, squeezing and pushing them through the double doors to go back inside the bar (even though Lee was scheduled to work outside on the patio).

19. Once inside, Goumas yelled at Wilson and Lee in front of other employees and customers and put them in fear for their physical safety.

20. Below is a photo of the marks left on Wilson's neck after Goumas assaulted her. Lee has identical injuries.



21. After the assault and battery, Wilson and Lee reported the misconduct to Goumas and specifically said they very upset and uncomfortable and demanded to leave.

22. After Goumas refused to address the misconduct, Wilson and Lee left the bar.

23. Goumas terminated Wilson and Lee's employments shortly thereafter without providing any justification for the termination.

24. Wilson and Lee reported Goumas' assaults and batteries to the police department, which investigate the incident.

25. The police department investigated, charged, and arrested Goumas for criminal assault and battery of Wilson and Lee.

26. Goumas' criminal case is pending. Wilson and/or Lee have made victim impact statements in that case.

27. Goumas created a hostile working environment, harassed, assaulted, and battered Wilson and Lee. Goumas also retaliated against Wilson and Lee for reporting the harassment and assault, and constructively discharged them from his employ.

28. In addition to the physical injuries Goumas caused, for which Wilson and Lee sought medical treatment, they are also suffering from anxiety, depression, shame, and economic loss because of Goumas' harassment, assault, and battery of Wilson and Lee.

Count I

(Title VII – Discrimination)

29. Plaintiffs incorporate by reference all the allegations contained in the forgoing paragraphs.

30. Goumas discriminated against Wilson and Lee because they are women in violation of Title VII.

31. Wilson and Lee are members of a protected class.

32. Wilson and Lee’s direct supervisor at Rula Bula, Goumas, discriminated against them.

33. Wilson and Lee reported the discrimination to Goumas.

34. Goumas did nothing in response then terminated them.

35. Goumas had no legitimate reason for the terminations.

36. Goumas intentionally discriminated against Wilson and Lee in violation of Title VII.

37. Because of the intentional acts or omissions of Goumas, Wilson and Lee have suffered damages.

38. Wilson and Lee are entitled to recover those damages against Goumas.

39. Wilson and Lee are also entitled to an award of their attorneys’ fees and costs.

Count II

(Title VII – Hostile Work Environment)

40. Plaintiffs incorporate by reference all the allegations contained in the forgoing paragraphs.

41. Goumas created a hostile work environment for Wilson and Lee because they are women that no reasonable person could tolerate in violation of Title VII.

42. Wilson and Lee reported the hostile work environment at Rula Bula to Goumas.

43. Goumas did nothing in response then terminated them.

44. Goumas had no legitimate reason for the terminations.

45. Goumas intentionally discriminated against Wilson and Lee in violation of Title VII.

46. Because of the intentional acts or omissions of Goumas, Wilson and Lee have suffered damages.

47. Wilson and Lee are entitled to recover those damages against Goumas.

48. Wilson and Lee are also entitled to an award of their attorneys' fees and costs.

Count III

(Title VII – Retaliation)

49. Plaintiffs incorporate by reference all the allegations contained in the forgoing paragraphs.

50. Wilson and Lee engaged in a protected activity under Title VII by reporting the discrimination and hostile work environment at Rula Bula to Goumas.

51. Goumas did nothing in response then terminated them.

52. Goumas had no legitimate reason for the terminations.

53. Goumas intentionally discriminated against Wilson and Lee in violation of Title VII.

54. Because of the intentional acts or omissions of Goumas, Wilson and Lee have suffered damages.

55. Wilson and Lee are entitled to recover those damages against Goumas.

56. Wilson and Lee are also entitled to an award of their attorneys' fees and costs.

Count IV

(Negligence)

57. Plaintiffs incorporate by reference all the allegations contained in the forgoing paragraphs.

58. As an employer, Goumas had a duty to provide a safe working environment for his employees – Wilson and Lee.

59. Goumas breached that duty by harassing, then assaulting and battering Wilson, and Lee.

60. Because of Goumas' actions, Wilson and Lee suffered damages that they can recover from Goumas.

61. Goumas acted intentionally and with malice to harm Wilson and Lee entitling them to punitive damages.

Count V

(Assault and Battery)

62. Plaintiffs incorporate by reference all the allegations contained in the forgoing paragraphs.

63. Goumas, an employer, harassed Wilson and Lee, his employees at Rula Bula.

64. Goumas acted intentionally to put fear into Wilson and Lee that he would batter them.

65. Goumas then battered Wilson and Lee.

66. Goumas acted intentionally by assaulting and battering Wilson and Lee.

67. Any reasonable person would be offended by Goumas' conduct, which damaged Wilson and Lee.

68. Wilson and Lee are entitled to recover those damages from Goumas.

69. Goumas acted intentionally and with malice to harm Wilson and Lee entitling them to punitive damages.

Jury Demand

Plaintiffs demand a trial by jury.

Prayer for Relief

Plaintiffs requests the following relief against Goumas:

1. Judgment in favor of plaintiffs on all claims.
2. Statutory, compensatory, consequential, and nominal damages in at least the amount of \$300,000, cumulative.
3. Punitive damages in at least the amount of \$300,000, cumulative.
4. Attorneys' fees and costs.
5. Accrued and accruing pre- and post- judgment interest at the statutory rates.

6. Such other relief as the Court deems proper.